

### REMARKS

Claims 1-28, 55-57, and 64-70 are pending, with claims 1, 15, and 55 being independent. Claims 29-54 and 58-63 were cancelled in a previous amendment without prejudice or waiver due to a restriction requirement as being drawn to a non-elected invention.

Claims 1-28, 55-57, and 64-70 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Blumenau (U.S. 6,108,637) in view of Guyot et al. (U.S. 6,119,098). Applicants have amended the claims to obviate the rejection.

Claims 1 and 15 recite a method (claim 1) and a computer program (claim 15) of presenting advertising to viewers in a computer program network environment that includes, among other features, monitoring a viewer's interactions with an associated computer system, determining an amount of time to be used in later displaying advertisements on the viewer's associated computer system based on the viewer's monitored interactions, and, based on the determined amount of time, varying an amount of display time for which a later displayed advertisement is to be displayed on the viewer's associated computer system. Claim 55 recites a method of optimizing a click-through rate of a user viewing content in a computer network environment that includes, among other features, downloading advertisements and a set of tuning parameters to a user's computer. The set of tuning parameters are configured to cause a display of a first advertisement on the user's computer to be changed to a display of another advertisement on the user's computer by varying an amount of display time for which the later displayed advertisement is to be displayed based on a user's activity with respect to the user's computer. Click-through information for the advertisements is stored and is sent to a host computer.

Applicant respectfully requests reconsideration and withdrawal of the rejection because Blumenau and Guyot, either alone or in combination, fail to describe or suggest varying an amount of display time for which a later displayed advertisement is displayed on a viewer's associated computer system based on the viewer's activity with respect to the viewer's computer, as recited in amended claims 1, 15, and 55.

Blumenau describes monitoring the display of content by a computer system by monitoring the position of the content display on a display screen including monitoring the position of images on the display screen and comparing the position of the images in relation to other content. Blumenau also describes determining an amount of time that the current content display was visible to an observer and determining the number of times that an on-screen pointer entered an area defined by the content, which is used to determine how attentive an observer was to the content. See Blumenau, col. 7, lines 4-30. Blumenau also describes determining whether the content is fully hidden, partially hidden, fully or partially hidden, or unobstructed. See Blumenau, col. 14, lines 7-19.

In addition, Blumenau describes using information describing the monitored display of the content to affect the display of the content. For example, Blumenau describes using “information regarding whether or not the content was hidden, or the frequency of display of the content at different times during the day or week” to identify “the best location on a display screen or the best times, respectively, to display the content”. See Blumenau, col. 18, lines 38-49. “As another example, the duration of time that a set of content has been displayed can be determined, as discussed above, and the portion of the set of content that is being displayed changed as a function of that duration, e.g., the display of a set of content can begin with a particular video display and change to another video display after passage of a specified duration of time.” See Blumenau, col. 19, lines 2-11. The information that affects the display of the content may be gathered before or as the content is displayed. See Blumenau, col. 18, lines 50-56.

However, Blumenau does not describe or suggest using an amount of time that was determined based on monitored viewer interactions with the content to vary an amount of display time for which later displayed content is to be displayed to the viewer, as recited in independent claims 1, 15, and 55.

Guyot does not remedy the failure of Blumenau to describe or suggest these features. Instead, Guyot describes monitoring keyboard and mouse activity on the subscriber's computer to use the information to schedule when to display advertisements on the subscriber's computer.

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See Guyot, col. 2, lines 8-14. Furthermore, Guyot describes adjusting several display parameters, including Ad Play Times, Maximum Number, Ad Frequency, Daily Ad Playing Cunter, Ad Hour/Day/Week/Month Frames, based on the monitored keyboard and mouse activity. See Guyot, col. 4, line 35 to col. 5, line 5. However, Guyot does not monitor user interactions and determine an amount of time to be used in later displaying advertisements based on the monitored user interactions. Moreover, since Guyot does not determine an amount of time to be used in later displaying advertisements, Guyot necessarily does not describe or suggest varying an amount of display time for which a later display advertisement is to be displayed based on the determined amount of time.

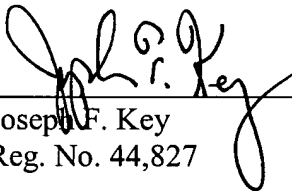
For at least these reasons, Applicants respectfully request reconsideration and withdrawal of the § 103(a) rejection of independent claims 1, 15, and 55, and their respective dependent claims.

Enclosed is a \$1810 check of which \$790 is for the RCE fee and \$1020 is for the Petition for Extension of Time fee. During the prosecution of this application, please apply any deficiencies or credits to deposit account 06-1050.

Respectfully submitted,

Date: \_\_\_\_\_

5/10/2005

  
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